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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(211.001-D3-US)

In re Application of: FAZAN ET AL.)	
Serial No: 10/724,648)	Group Art Unit: 2814
Filing Date: DECEMBER 1, 2003)	Examiner: LOUIE, WAI SING
Title: SEMICONDUCTOR DEVICE)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321

Dear Sir:

The owner, Innovative Silicon S.A., of the entire right, title and interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of any patent granted on pending U.S. Patent Application No. 10/724,377, filed on November 28, 2003 (hereinafter the "Second U.S. Patent Application"), as such term is defined in 35 U.S.C. §§ 154 and 173, and as the term of any patent granted on the Second U.S. Patent Application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the Second U.S. Patent Application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the Second U.S. Patent Application are commonly owned. This agreement runs with any

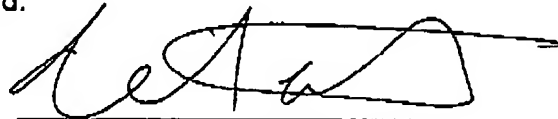
patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined by 35 U.S.C. §§ 154 and 173 of any patent granted on the Second U.S. Patent Application, as the term of any patent granted on the Second U.S. Patent Application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the Second U.S. Patent Application, in the event that, any such patent, granted on the Second U.S. Patent Application expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The undersigned is an attorney of record.

Date: February 3, 2005



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